

**MD355 Crossing (BRAC)  
Design-Build Project Overview  
September 18, 2012**

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## **Project Stakeholders and Ownership responsibilities**

### **Montgomery County Government (MCG)**

**Project Owner will maintain shallow elevators, escalators and shallow tunnel**

### **Washington Metropolitan Area Transit Authority (WMATA)**

**will operate and maintain deep high speed elevators and deep horizontal tunnel into Red Line Medical Center Station**

### **Naval Support Activity Bethesda (NAS)**

### **National Institutes of Health (NIH)**

### **Maryland State Highway Administration (MSHA)**

**Approval authority for reimbursement (along with OEA) & will maintain MD 355 after construction is complete**

### **Federal Highway Administration (FHwA)**

## Alternative 2B

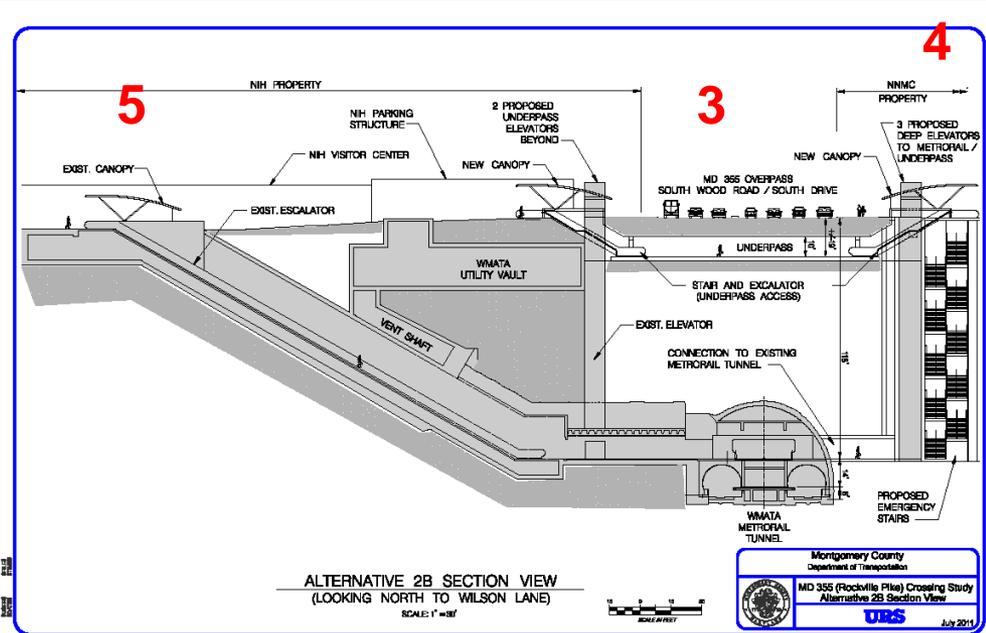
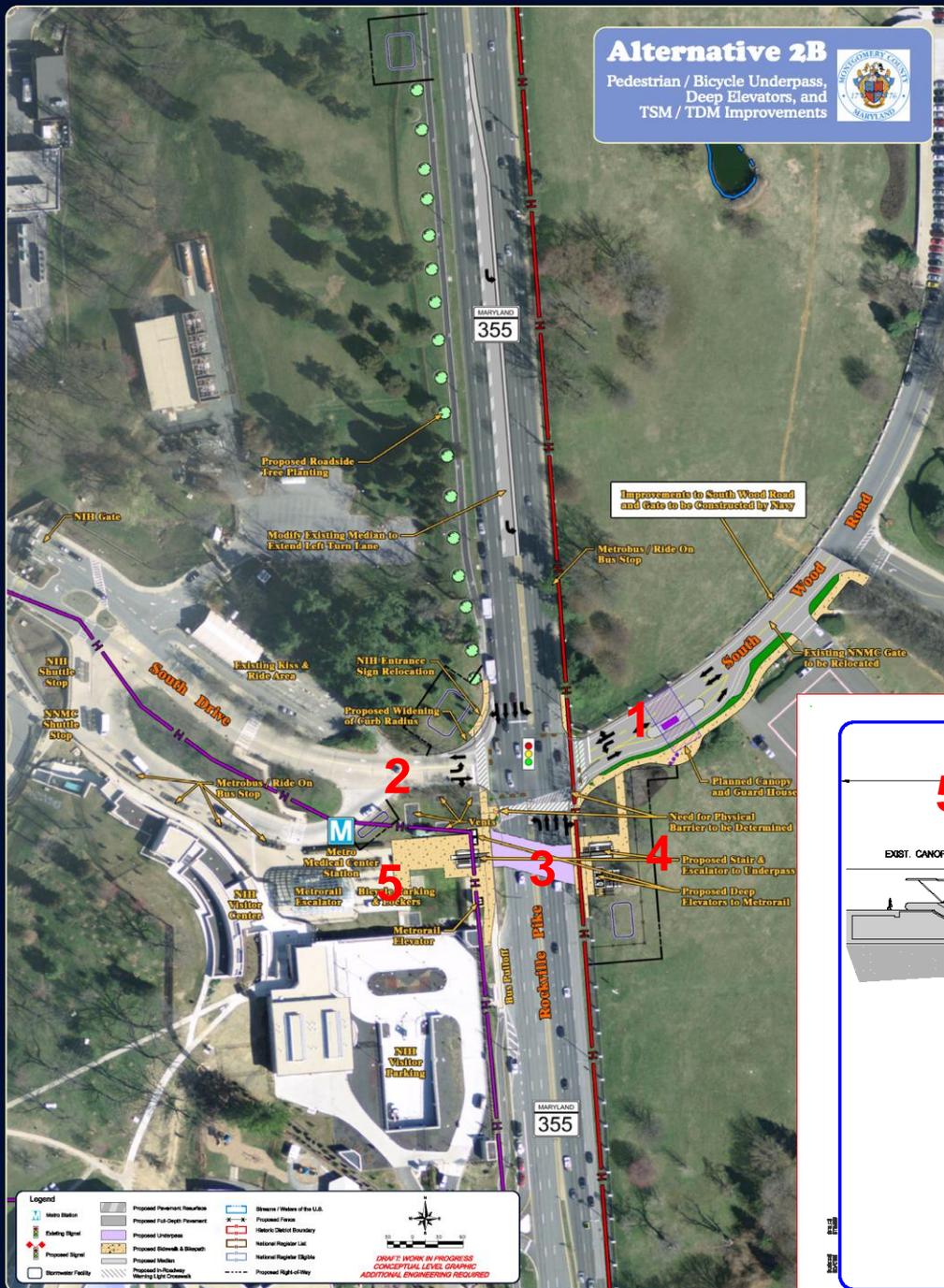
Pedestrian / Bicycle Underpass, Deep Elevators, and TSM / TDM Improvements



## Alternate 2B MD355 Crossing (BRAC) (Orientation of map North at top)

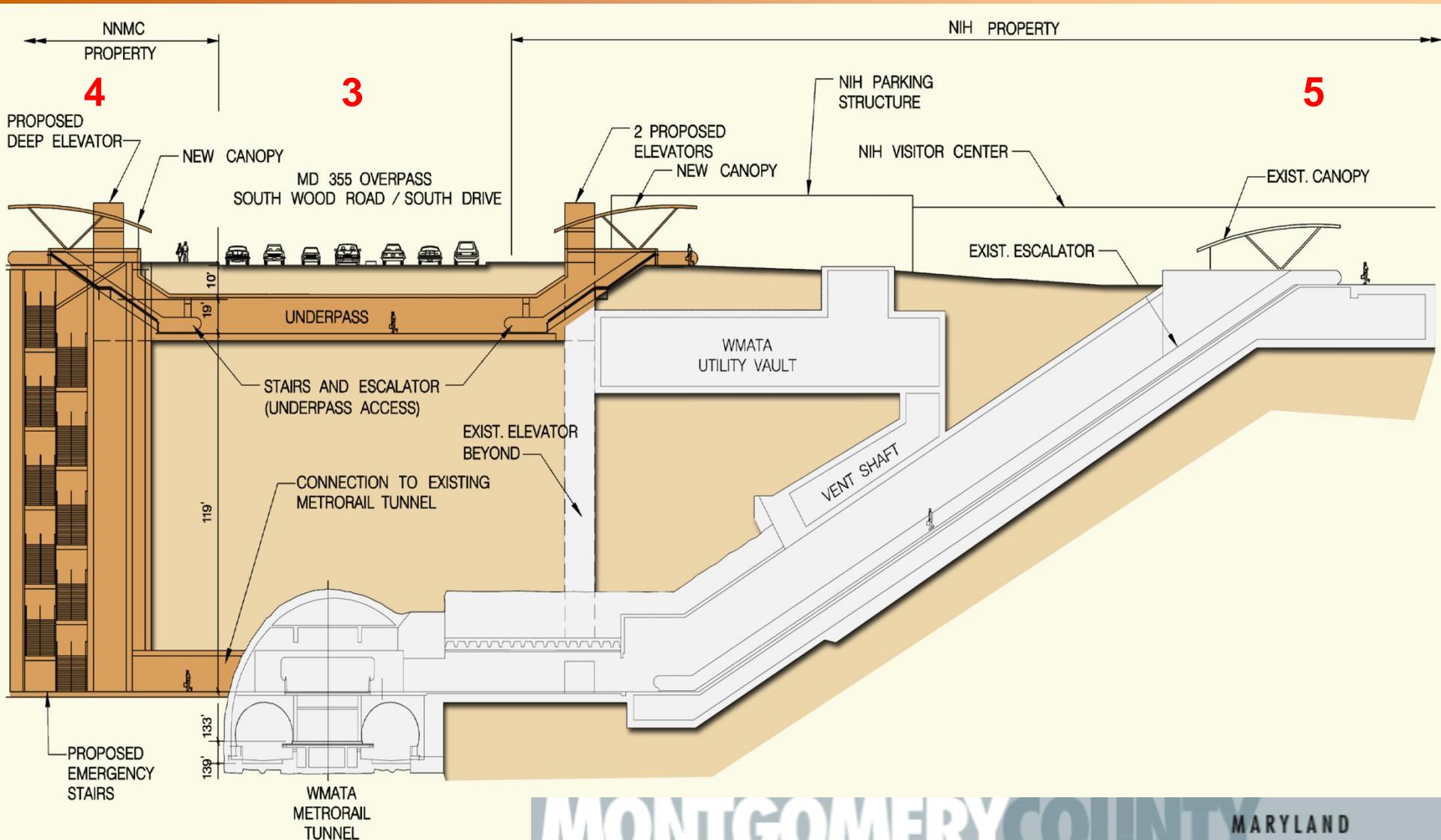
### Major Features

- 1 Navy Medical facilities on the right; South Wood Drive entrance
- 2 NIH facilities on left; South Drive entrance
- 3 The purple area on MD355 is the multimodal (BRAC) crossing alignment
- 4 Area below Navy entrance is the proposed location of the deep shaft elevators leading to the WMATA Medical Center station mezzanine
- 5 Area adjacent to NIH facilities are proposed elevators and entrance improvements into WMATA Medical Center station



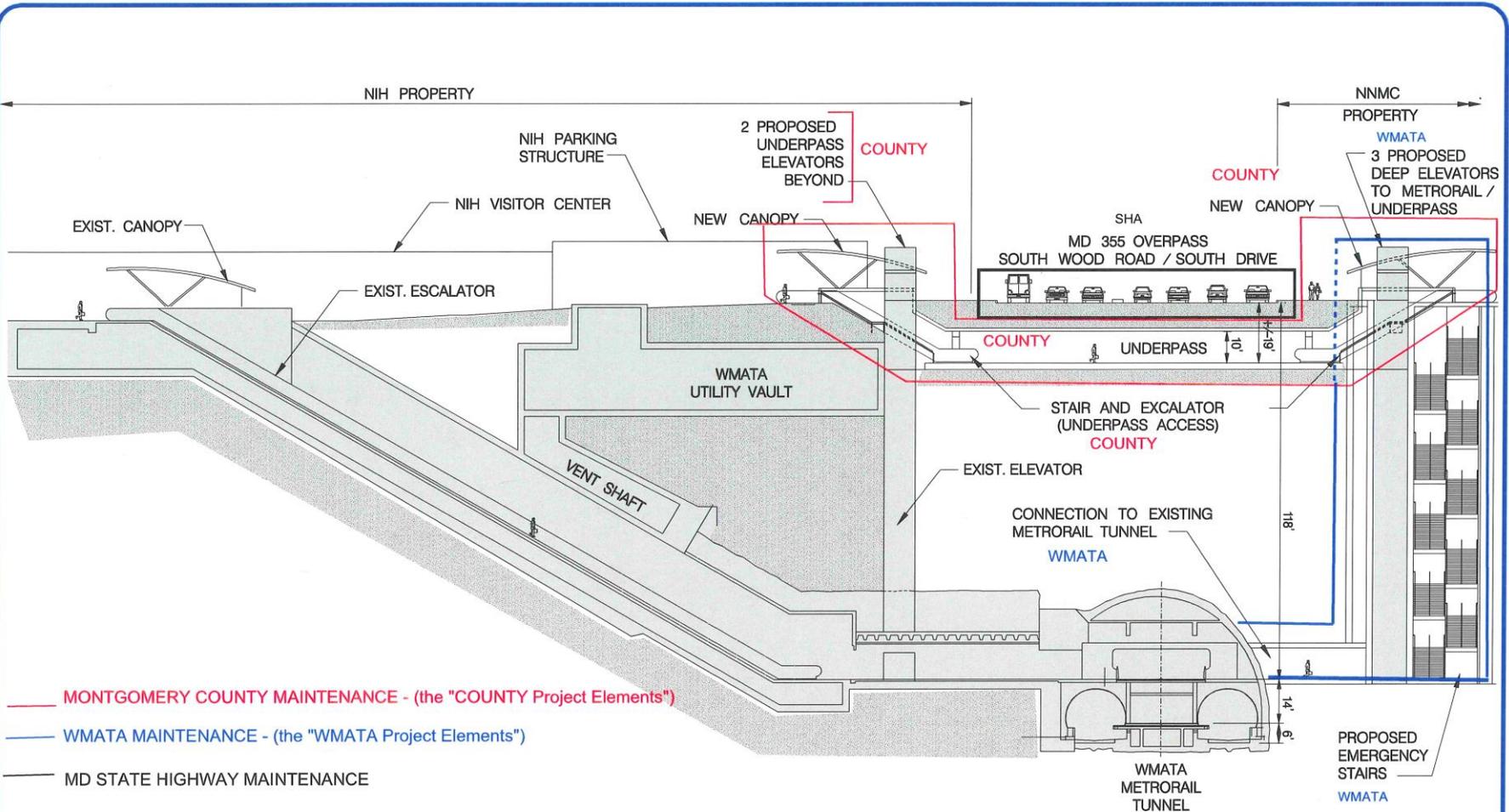
# Cross Sectional View 1 (Southern orientation)

Darker brown shading highlights the scope of the MD355 Crossing (BRAC) project



# Cross Sectional View 2 (Northbound orientation)

## Project Elements Responsibilities



— MONTGOMERY COUNTY MAINTENANCE - (the "COUNTY Project Elements")

— WMATA MAINTENANCE - (the "WMATA Project Elements")

— MD STATE HIGHWAY MAINTENANCE

ALTERNATIVE 2B SECTION VIEW  
(LOOKING NORTH TO WILSON LANE)

SCALE: 1" = 30'

EXHIBIT C



	Montgomery County Department of Transportation
	MD 355 (Rockville Pike) Crossing Study Alternative 2B Section View
	 July 2011

SUSPENS  
STAGES

## **Project Funding Grants and Guidelines for Cost Accounting**

**USDoD Army Defense Access Roads (DAR) \$28,174,000**

**Project Grant for preliminary engineering and construction of shallow tunnel, escalators and shallow elevators**

**UsDoD Office of Economic Adjustment (OEA) \$40,000,000**

**Project Grant for the construction of Deep High Speed elevators and horizontal tunnel into Medical Center Station**

**UsDoD Office of Economic Adjustment (OEA) \$ 5,500,000**

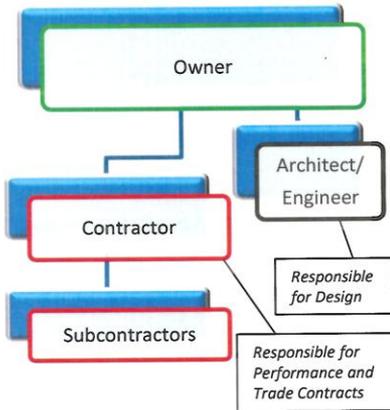
**MSHA competed OEA Grant disbursed through MGC for the construction of surface improvements in and out of the Crossing project limits**

**Total Grant funding for entire project \$73,674,000**

**MCG will initially bear the cost of the project and with submission of appropriate documentation to MSHA & OEA will receive reimbursement for project costs**

## Design-Bid-Build

Most owners are familiar with this process as it is the most widely used. Plans and specifications are completed, then advertised for bids. Contractors bid the project exactly as it is designed.



### TYPICAL ADVANTAGES

- Contractor cost commitment based on complete design documents
- Designers more active during construction administration
- Familiar delivery method with most team members
- Easy process to manage
- Flexibility in contractor selection (private funded projects)
- Design and construction roles are separate and well defined, making both responsibility and liability relatively clear

### TYPICAL DISADVANTAGES

- Cost is not firmly established until design is complete
- Gaps in design documents become potential delays or added change orders
- Linear process=Longer schedule
- May require re-design or re-bidding to meet budget
- No Contractor input in early stage of project
- Adversarial relationships and the potential for litigation can develop between designers and contractor due to their separate contracts with the owner

# Public Project Delivery Systems Comparison

## Conventional

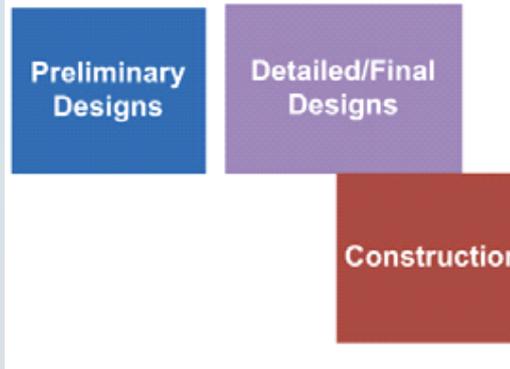
## Innovative

### Design-Bid-Build



project timeline →

### Design-Build



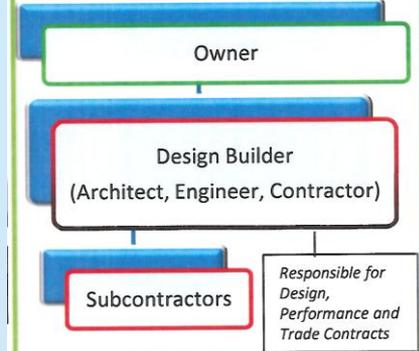
**Three key DB advantages are 1: a single point of accountability for design and construction; 2: the price (GMP) is known before the design is 100% and 3: the project “fast tracks” to construction before all the final designs are complete. The Owner and D/B entity collaborate to keep the design on schedule and the construction cost on budget.**

[http://www.fhwa.dot.gov/everydaycounts/images/acc\\_proj.jpg](http://www.fhwa.dot.gov/everydaycounts/images/acc_proj.jpg)

[http://www.ne.dccouncil.com/downloads/delivery\\_methods.pdf](http://www.ne.dccouncil.com/downloads/delivery_methods.pdf)

## Design-Build

The builder and designers are hired under one contract. The Design/Builder may use in house design team, or hire an outside entity. Team works together throughout project and construction begins before final design is complete, thus allowing for completion in a shorter timeframe.



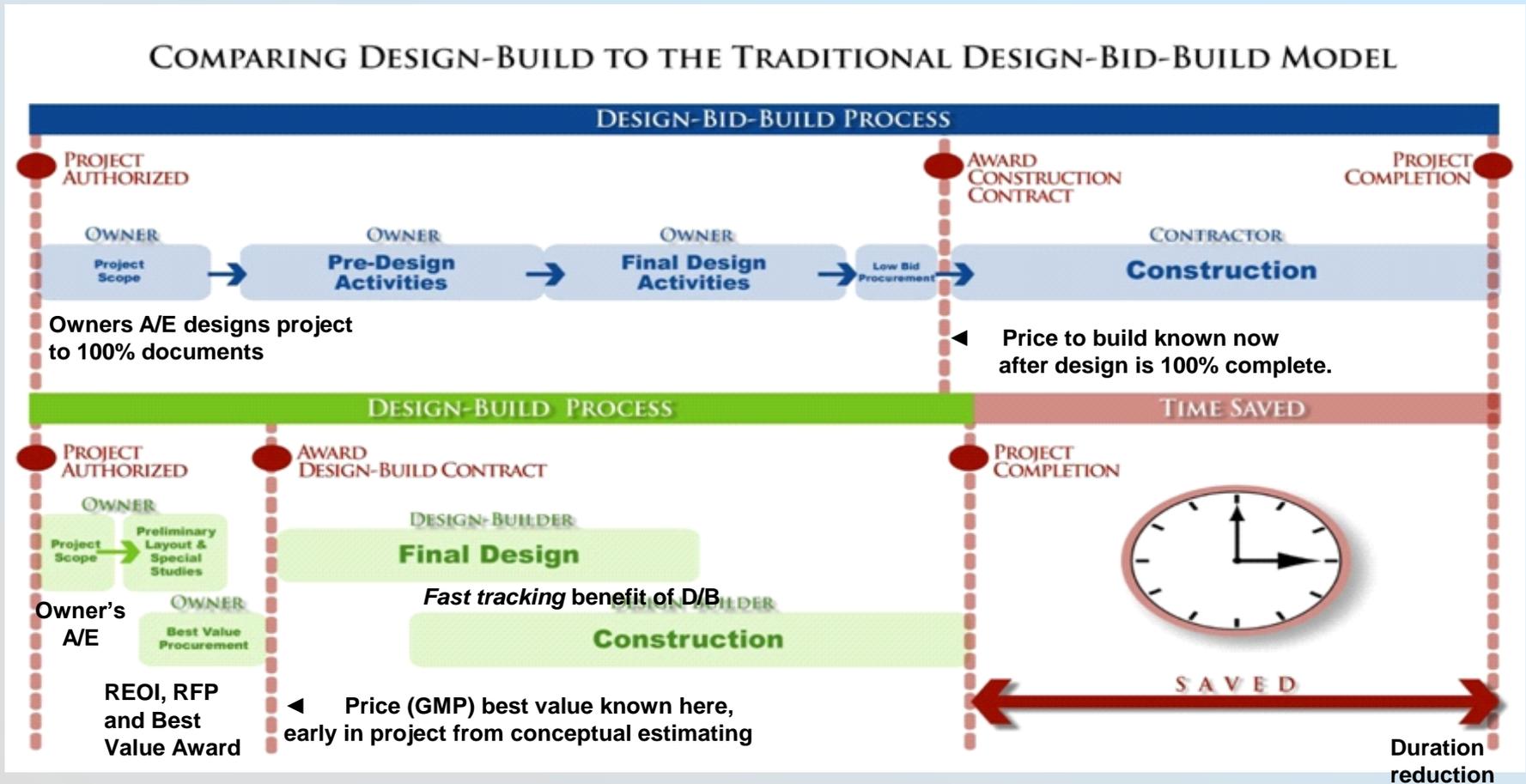
### TYPICAL ADVANTAGES

- Single point of accountability for design and construction
- Owner can list ‘performance specs’ that must be delivered by the design builder
- Conflicts are generally internalized with the team and do not involve the Owner
- Opportunity for quicker completion times and reduced change orders
- Guarantee Maximum Price (GMP) is known at start of construction, Team works together throughout project to meet budget

### TYPICAL DISADVANTAGES

- Design, schedule, and construction are interwoven and do not involve the Owner
- Owner must select best team, rather than best designers and best contractor
- Quality may be an issue if scope of project not well defined
- Cost saving strategies taken by DB may lead to reduced building quality
- Public Sector projects in Nebraska require the hire of a Performance Criteria Developer to represent owner, potentially adding cost and time.

## Animated Diagram of DBB & B/D Project Delivery Processes



# MD355 Design Build Source Selection Process

## Phase 1 General Overview of REOI & Shortlisting

### Request for Expressions of Interest (REOI)

Open competition for vendors to respond. The REOI should: briefly describe the project scope, set the allotted budget (optional), shortlisting strategy, if stipends and award fees will be included in the RFP and set an evaluation criteria vendors need to respond to. Rating point values are listed along with the proposal submissions to be evaluated. Select QSC panel for proposal evaluation at this time. REOI must have concurrence of all project stakeholders.

### Advanced Notice of REOI

General notice to the media of upcoming project REOI. Issue several weeks prior to REOI and indicate date, time, place to conduct a general interest Q & A meeting with exhibits for interested vendors to attend.

### Issue the REOI

Amend REOI after general interest meeting if appropriate and issue the REOI for a period of 30-45 days. Indicate the dates, times, places for the pre-proposal meeting for vendor inquiries and for where the proposals are to be delivered (Office of Procurement). Amend REOI per vendor inquiries if appropriate. Allow additional time for proposals if amendments are material changes.

### Receive proposals & evaluate

Statements of Qualifications (SOQ) are received at the Office of Procurement for distribution to members of the QSC panel. Proposals are rated against the criteria and points are assigned. Raters do not rank the proposals but pass recommendations on to Contract Administrator (CA).

### Shortlisting vendors

QSC recommendations are evaluated by CA along with all documentation relating to individual ratings. From this and other subjective input CA determines the 3 most qualified firms and sends recommended Reduced Candidates Listing (RCL) to the Office of Procurement.

### Notify offerors and debrief

RCL firms are notified by OP & DOT debriefs the ones who didn't make the score that request a debriefing.

# MD355 Design Build Source Selection Process

## Phase 2 General Overview RFP & Final Selection

**Finalize  
“draft”  
RFP**

**“Draft” version completion must coincide with selection of 3 best so issue is timely. Stipend, and award fees will be a part of contract**

**Issue “draft”  
RFP**

**Issued with the intent of receiving Alternate Technical Concepts (ATC) to review/critique approve, disapprove. Have a timeframe for ATC submissions and an end date to receive final ATC’s**

**Interview RCL  
Vendor ATC  
proposals privately**

**During ATC process. Schedule RCL candidates and forward ATC’s to appropriate Technical Advisor committees for review and recommendations**

**Amend & Reissue  
Final RFP**

**Amend RFP if RCL input is useful & issue for 90 days for final technical and price proposals. Amend RFP as needed and reissue.**

**Receive & evaluate  
proposals**

**Proposals are received and schedule a min of 6 wks using the same QSC & tech advisors to evaluate RFPs, have vendor interviews for proposal clarifications and determines final scores. BAFO or Best Value/Max Price**

**QSC Rec. to Contr.  
Admin**

**QSC puts together summary & makes Rec to Awd to Cntr Admin & OP**

**Award, notify,  
debrief**

**OP posts award notice, handles bid protests and issues PO to successful DB entity. Issue stipends**

**Proposed Team make-up for the MD355 Crossing DB Project**  
 (Using the MSHA ICD D/B Team Make-up for the Step 1 Evaluation and Reduced Candidate List Process as a template)

**Procurement Management Team**  
 (responsible for controlling and maintaining the integrity of the entire evaluation and RCL process)

Suggested member pool: Pam Jones, Mary Ellen Davis-Martin, Todd Collins, Bob Norris, Mike Pierpoint & CA for DGS John Markovs

**Evaluation Committee** (responsible for the management of the SOQ evaluation and RCL process from receipt of SOQs through determination of RCL) Committee members DTE ESS and M2/3s in DTE/DHS/DTOE/DOP

**Chairperson**  
 (oversees process and confidentiality)

DTE Division Chief

**Evaluation Teams** (technical advisors w/specific expertise in evaluation areas)

Selected from among various MC agencies for specific need. WMATA/NAS/NIH may have to play a role here and MSHA would have to approve outside agency participation.

**NOTE: MSHA ICD requires ET members to be Administration employees**

**Selection Committee**  
 (assists the Selection Official in the review of the RCL recommendation)

Deputy Directors DOT or other M1's from DGS/DHCA would comprise Selection Committee. Other agencies would need to have an active RFP contracting program in place to have the proper expertise.

**Selection Official**  
 (approves, modifies or remands back to EC the RCL for further consideration)

MCDOT Director



# MD 355 CROSSING (BRAC) PROJECT STATUS UPDATES

## Task Completed/In-Progress & Upcoming

Task	Description	Status/Remarks
1. Enviro Assessment (EA)	NEPA Categorical Exclusion (CE) Letter	CE signed on May 13, 2011
2. Funding	The Project is being funded by the following sources: DAR Funding - \$28,174,000 OEA Funding - \$40,000,000	-Federal Aid package submitted on Feb. 2 <sup>nd</sup> , 2012. -- \$28,174,000 has already been transferred to FHWA Baltimore offices - \$40 million OEA funds awarded on 8/6/2012. Funds will be transferred to FHWA Baltimore offices in the Fall of 2012
Montgomery County action	Approved funding of \$68,174,000. Most current PDF is dated 1/10/12	Due to Federal Aid req't's for reimbursement, expenditures cannot occur until Fed Aid approval is granted
3. Memorandum of Agreement (MOA) among stake-holders		Navy, FHWA, and SHA – signed May 2012 NIH & WMATA are working together to resolve issues common to their easement issues. Tentative resolution is expected in September 2012. County and WMATA are meeting Sept 20 to determine cost for the Restoration Bond. WMATA to present MOA to Board of Directors on 9/20/2012.
4. Project Coordination Agreement (PCA)	County has initiated and is working on the Project Coordination Agreement (PCA).	WMATA is taking the lead on the drafting of the PCA. Anticipate a draft document 10/2012
5. Status meeting with DAR, Navy, FHWA, and SHA		Next update 10/2012.
6. SHA approval of contract to select/hire GEC		SHA has approved Contract for the use of URS as the GEC Consultant on 8/15/2012. Submitted Task Order 1 Federal Aid approval to SHA on 8/29/2012. Submitted BOA Contract Amendment to Procurement on 8/15/2012.
7. Request for Expressions of Interest (REOI)		Draft distribution for review in March 2013
8. Start Preliminary Engineering (GEC)		<b>NTP is anticipated to be issued in September 2012</b>
9. RFP	Select three Design Build Team finalize draft RFP	Issue RFP – October 2013
10. Select Design/Build Team	-Evaluate proposals, conduct interview of D/B teams. Make recommendations	April 2014
11. Issue NTP to Design/Build Team	-Concurrence of Award Process - Execute D/B contract	Expected Date for NTP – April, 2014
12. Final Design	D/B initiate final design	Projected start date – May 2014
13. Start Construction		September 2014
14. Finish construction		September 2016

## MD 355 Multi-Modal Crossing Agreement and Document Listing

Document	Description of Content	Parties Involved	Status	Comment
Memorandum of Agreement ( <b>MOA</b> )	The primary Funding document, defines scope, cost, roles and responsibilities of agencies, RW acquisition, ownership, reimbursement, dispute resolution, etc	MCG, NavyNSA, NIH, MSHA, FHWA, WMATA <b>MC authorship</b>	In process	Nearing completion since WMATA & NIH comment are now received and added. Circulating for signatures
Project Coordination Agreement ( <b>PCA</b> )	Coordinate elements of design, construction, implementation of site work, staging, timing of phases	MCG, WMATA, NavyNSA, NIH, MSHA, FHWA <b>WMATA authorship</b>	1 <sup>st</sup> draft to been done by WMATA	Next to be completed
Construction Support Agreement ( <b>CSA</b> )	Specific agreement between MCG and WMATA over General Provisions, support services, Parties conduct during construction, WMATA scope of services and cost.	MCG, WMATA <b>MC authorship</b>	No draft	Will be using Arlington Co agreement as platform to build on
Request for Expression of Interest ( <b>REOI</b> )	Initial proposal to request qualifications for firms interested in the subject Design Build project. Past performance, experience, financials, team makeup partnering agreements After Qualification scoring a short list of 3 is developed	MCG (OP & OCA) w/ GEC, with review by WMATA, NavyNSA, NIH, MSHA. FHWA <b>MC authorship</b>	Started but not complete	OP has stated that GC's, Construction Contract, MOA, PCA, CSA must be included
Request for Proposal ( <b>RFP</b> )	Document detailing project requirements, bridging documents offered to successful short listers	MCG (OP & OCA) w/GEC, with review by WMATA, NavyNSA, NIH, MSHA. FHWA <b>MC authorship</b>	No draft	Following DGS format but amended for DB. Will require MCDTE OP OCA input and major review by all parties
General & Term & Conditions of Contract	Binding conditions of contract between MCG and DB Entity	MCG, with WMATA review <b>MC authorship</b>	No draft	OCA will have major input once draft is completed

## MD 355 Multi-Modal Crossing Agreement and Document Listing

Agreement or Document	Description or Content	Parties to Agreement/ Authorship	Status	Comment
Construction Contract (EJCDC doc set as sample)	Binding Agreement on scope, schedule, cost, dispute resolution, etc between MC and DB Entity	MCG, DB Entity MC amended EJCDC documents <b>MC authorship</b>	No draft	OCA will have major input once draft is completed
WMATA Criterion Standards	Bridging documents provided by WMATA and incorporated in RFP.	MCG, WMATA, DB Entity <b>WMATA authorship</b>	WMATA to supply	Will definitely impact RFP and DB Entity innovation element
WMATA QA/QC document	WMATA quality control and assurance document for WMATA related work incorporated in RFP.	MCG, WMATA, DB Entity <b>WMATA authorship</b>	WMATA to supply	Will definitely impact RFP and DB Entity innovation element
Agreement with Construction Manager (CM)	Role, Responsibility during construction and Risk Status	MCG, WMATA, CM Entity through GEC <b>MC authorship</b>	No Draft	Something to consider with insight from the MC Detention Center experience
WMATA Adjacent Construction Manual	WMATA regs for working in adjacency to WMATA property	MC, WMATA, DB Entity <b>WMATA authorship</b>		Will be incorporated by reference in RFP and Contract
Utility Coordination Agreements	MC agreements with PEPCO, Verizon, WGL, WSSC, etc to allow DB entity to plan and construct utility relocation facilities with Utility Co support and input	<b>Various Utility authorities and MCG</b> <b>MC authorship</b>	No drafts but using ICC agreements ad models	Need early confirmation with Utilities of ability to do this for mention in the REOI and inclusion in RFP



**Questions / Discussion**

*Thank You for Your  
Interest in Our Project*

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